

Endangered Species Act and National Historic Preservation Act Compliance For Brownfields Grants [DRAFT R10 11/8/04]

Background:

As a federal agency, EPA has certain requirements under Section 7 of the Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA) which EPA must meet before giving approval for grantees to begin grant-funded field work. Therefore grantees are asked to help EPA by providing information (identified below) which will help EPA fulfill its responsibilities and approve grantees to go ahead with field work

If providing EPA with support information is a specific task in the work plan, grantees are allowed to use grant funds provide the information, either by doing the work yourselves or by tasking contractors. It remains EPA's responsibility to review the information provided and to complete its coordination responsibilities under ESA and NHPA.

What is Needed for Each Assessment or Cleanup funded with EPA Grants:

As soon as possible before field work EPA needs at least the following information.

ESA	NHPA
Project Location – the address of the property and/or Township and Range coordinates.	Project Location – the address of the property and/or Township and Range coordinates.
Brief description of the site, including a description of the physical site characteristics such as vegetation, slope, the presence of any structures, and if the property contains or is adjacent to any water bodies.	Brief description of the site, including a description of the physical site characteristics such as vegetation, slope, the presence of any structures, and a brief history of the development of the site, if known. This could include such things as if the site was built on imported fill, or filled and graded.
A list of threatened or endangered species or habitat at or in the vicinity of the site. [see back for potential contacts for this info]	Information in your files or reports as to whether the site or any part of it is listed on, or eligible for listing on, the National Register of Historic Places, and/or an Indian Reservation. Please include any correspondence with your State Historic Preservation Officer (SHPO). [see back for potential contacts for this info]
Activity Information: provide EPA details of the kinds of activities that will occur, where they will occur, and what care will be taken to minimize any potential impacts.	Activity Information: provide EPA details of the kinds of activities that will occur, where they will occur, and what care will be taken to minimize any potential impacts.

Information can be provided electronically. EPA will review the information provided, collect any additional information and proceed to make, document and communicate its determination(s) with the United States Fish and Wildlife Service and/or National Oceanic and Atmospheric Administration (NOAA) Fisheries, where appropriate, for ESA compliance. Consultations with these respective agencies may result in some specific requirements for your site, and grantees could be asked to modify their plans or do additional work.

For **Assessment Sites**, the requested information may already be known or available to grantees from Phase 1 Investigation or other Reports. It should be provided to EPA as soon as possible,

and in any event no later than when the Quality Assurance Program Plan is submitted for approval. EPA must give the go-ahead before any field work can proceed with grant funds.

For **Cleanup Sites**, some or all of the requested the information may already be available to grantees in their cleanup planning documents or other reports. It must be provided to EPA and EPA must give the go-ahead before any field work can proceed with grant funds.

Potential Sources of ESA and NHPA-Related Info Needed by EPA

	ESA- list of threatened or endangered species or habitat at or near Site	NHPA- Letter from the State Historic Preservation Officer (SHPO); Tribal Info
Alaska	http://aknhp.uaa.alaska.edu/ Site specific information is free, unless the site is unusually large	http://www.dnr.state.ak.us/parks/oha/index.htm Stefanie Ludwig , Archaeologist - (907) 269-8720
Idaho	[to be determined]	http://www.idahohistory.net/shpo.html
Oregon	You may pay about \$60 to Oregon Natural Heritage Information Center to generate reports for specific areas. WEBSITE: http://oregonstate.edu/ornhic/data-request.html];	Dennis Griffin, Oregon Park and Recreation Department Heritage Conservation Division 725 Summer St NE, Suite C Salem, OR 97301 (503) 986-0674 phone (503) 986-0793 fax dennis.griffin@state.or.us ; For Tribal Info, Karen Quigley, OR Commission of Indian Affairs Karen.M.Quigley@state.or.us
Washington	http://wdfw.wa.gov/hab/release.htm	http://www.oahp.wa.gov/EnvironmentalReviewOverview.htm